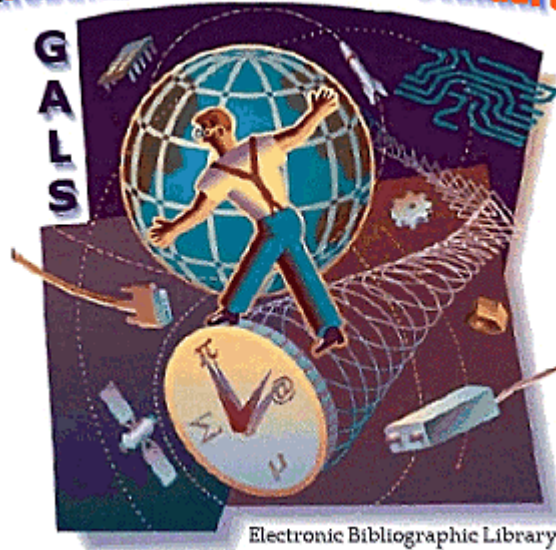


# Globalization and Labor Standards



## GALS Newsletter

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## Labor Rights in General

**Finkin, Matthew W., "International Governance And Domestic Convergence In Labor Law As Seen From The American Midwest", *Indiana Law Journal* v. 76 (Winter 2001) p. 143**

### **Abstract:**

This article explores the possibilities for developing transnational labor standards appropriate for a global economy. The author covers the six major proposed processes or models with the potential to implement global labor standards: 1) the common market route, 2) the ILO, 3) extraterritorial application of domestic law, 4) trade agreements with preferences linked to the

observance of specific labor regulations, 5) trade agreements which mandate a country's observance of its own labor regulations, and 6) corporate codes of conduct. The author then argues that the potential for such standardization seems to be hindered by the unwillingness of the current U.S. legal system to learn about or emulate the labor standards developed in European countries. Through a comparison of labor standards in two states within the U.S. -- Indiana and Minnesota -- the author demonstrates the gulf between jurisdictions even within the U.S. system. The author argues that when courts in Indiana are unwilling to accept precedent from Michigan, they are at least equally unlikely to guidance from labor standards from Germany.

**Subjects:** [Labor Rights in General \(Misc.\)](#), [Extraterritorial Application of Law](#), [International Labour Organization \(ILO\)](#), [Trade Conditionality](#)

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## Women's Rights

**Schmall, Lorraine A., "Transnational Issues of Women and Pension Security and Reform", *New York International Law Review* v. 14 no87 (2001)**

**Abstract:**

The article argues that, given the broad discussion of pension reform that has emerged in recent years, particular attention must be paid to the ways current and proposed pension systems affect women. Because most pension systems are tied to paid labor over a lifetime, they mirror and magnify the gender biases and discrimination inherent in the employment system as a whole. While some countries have taken steps to prohibit gender discrimination in the workplace, few countries have taken the proactive steps addressing issues of access to paid work opportunities. The author argues that the unwillingness of governments to provide (or adequately subsidize) services that promote access, in addition to the unwillingness to regulate contingent work arrangements which are disproportionately staffed by women, means that women are frequently not covered by private pensions and their wages are too low to provide personal retirement savings. The author argues that all women who work should be counted as workers and that pensions should accrue to them as workers, not as charity cases.

**Subjects:** [Women's Rights](#)

**Full-text links:** || [WESTLAW](#) ||

## World Trade Organization (WTO)

**Summers, Clyde, "The Battle in Seattle: Free Trade, Labor Rights, and Societal Values", *University of Pennsylvania Journal of International Economic Law* v. 22 (Spring 2001) p. 61**

**Abstract:**

This article describes the ongoing internal battle in the WTO over the proposal to link trade agreements to the four core labor standards articulated by the International Labor Organization. Developing countries oppose the proposal because they argue it is a form of protectionism which compromises both national sovereignty and their comparative advantage derived from low labor costs. The author engages these objections and points out that the core standards themselves would do little to increase wages. Further, countries in the WTO compromise their national sovereignty routinely as it pertains to existing trade issues such as tax and fiscal policy and capital markets. The author concludes that the debate about the inclusion of core labor standards with the WTO centers on whether and to what extent comparative advantages, obtained by what many member countries consider human rights violations (e.g. child labor, forced labor), should be protected in and by the international market.

**Subject:** [World Trade Organization \(WTO\)](#)

**Full-text links:** || [WESTLAW](#) ||

## **Organisation for Economic Cooperation and Development (OECD)**

**Murray, Jill, "A new phase in the regulation of multinational enterprises: the role of the OECD", *Industrial Law Journal* v. 30 no3 (September 2001) p. 255-270**

**Abstract:**

This article describes the development of the Organisation for Economic Development and Cooperation's (OECD) Guidelines on Multinational Enterprises (MNEs) and how those Guidelines relate to transnational labor regulation. First, the author discusses the OECD's 1976 Guidelines which focused on how MNEs and FDI would operate in host countries within the existing legal framework of the State. Because of this focus on the relationship between States and MNE's, there was little attention to international standards or regulations apart from a provision supporting collective bargaining. However, in 2000 the OECD revised the Guidelines with a new focus on the relationship between firms and their networks of suppliers, employees, customers, subcontractors, and the environment. This focus led to the inclusion of the ILO's core labor standards in the Guidelines. The author argues that the 2000 Guidelines move transnational labor regulation forward in that they reiterate the ILO's core labor standards directed at States, to the multinational enterprises who are the employers, directly or indirectly, in the global economy.

**Subjects:** [Organisation for Economic Cooperation and Development \(OECD\)](#), [International Labour Organization \(ILO\)](#)

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## Links to Related Projects

**ETUI Labourline:** <http://www.labourline.org/Etui>

ETUI Labourline is a database of European labor information resources covering European, international and comparative aspects of industrial relations and health and safety issues, developed by the Documentation Centres of the European Trade Union Institute and the European Trade Union Institute for Health and Safety (Brussels). The consolidated bibliographic database contains more than 20,000 references to documents focusing on industrial relations, and more than 15,000 references to documents on health and safety issues.

**LabourWeb:** <http://www.lex.unict.it/eurolabor/en/>

The Labour Web is a comprehensive documentation center for information about European labor law, social law, industrial relations and the welfare state. It contains up-to-date versions of European Union law, directives, pending directives, EU news, press releases, economic statistics and decisions of the European Court of Justice. It also contains a Working Papers series and subject matter reports (dossiers) on issues concerning European integration. The site also provides links to other websites that contain working papers, statistical reports, and other information about social, economic and industrial relations affairs in the European context. It is run by the Massimo D'Antona Centre for the Study of European Labour Law, at the Faculty of Law of the University of Catania.

**Labor and Global Change Database:** <http://www.ilir.umich.edu/lagn/>

The Labor and Global Change Database provides bibliographies, citation information and (where available) web links to the full text of research exploring connections between labor and globalization. The database aims to provide researchers with an easy means to make the results of their work widely available to other scholars and the interested public. The database is run by and continually updated by the Labor and Global Change Program of the University of Michigan.

**Trade Unions and Labor Relations Database:** <http://www.polwiss.fu-berlin.de/tu/english/>

The database, produced by the Institute of Labor Relations of the Otto-Suhr-Institute of the Freie University of Berlin, contains almost 7,000 citations of books, articles, working papers, brochures, proceedings etc. The bulk of the citations address aspects of labor relations in Germany, but there is a substantial body of literature in the database covering the EU and Eastern Europe.

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